

1-1 By: Huberty, Guillen (Senate Sponsor - Watson) H.B. No. 766
 1-2 (In the Senate - Received from the House April 16, 2019;
 1-3 April 24, 2019, read first time and referred to Committee on Higher
 1-4 Education; May 19, 2019, reported favorably by the following vote:
 1-5 Yeas 9, Nays 0; May 19, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to exemptions for disabled peace officers and fire
 1-20 fighters from payment of tuition and fees at public institutions of
 1-21 higher education.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. The heading to Section 54.352, Education Code,
 1-24 is amended to read as follows:

1-25 Sec. 54.352. DISABLED PEACE OFFICERS AND FIRE FIGHTERS [~~+~~
 1-26 ~~OPTIONAL EXEMPTION~~].

1-27 SECTION 2. Sections 54.352(a), (g), and (h), Education
 1-28 Code, are amended to read as follows:

1-29 (a) The governing board of an institution of higher
 1-30 education shall ~~may~~ exempt a student from the payment of tuition
 1-31 and ~~required~~ fees ~~[authorized by this chapter]~~ for a course for
 1-32 which space is available if the student:

1-33 (1) is a resident of this state and has resided in this
 1-34 state for the 12 months immediately preceding the beginning of the
 1-35 semester or session for which an exemption is sought;

1-36 (2) is permanently disabled as a result of an injury
 1-37 suffered during the performance of a duty as:

1-38 (A) a peace officer of this state or a political
 1-39 subdivision of this state; or

1-40 (B) a fire fighter, as defined by Section
 1-41 614.001, Government Code, employed by this state or a political
 1-42 subdivision of this state; and

1-43 (3) is unable to continue employment as a peace
 1-44 officer or fire fighter because of the disability.

1-45 (g) For the purpose of [In] this section, an injury is
 1-46 suffered during the performance of a duty as a peace officer if the
 1-47 injury occurs ["injury suffered during the performance of a duty as
 1-48 a peace officer" means an injury occurring] as a result of the peace
 1-49 officer's performance of any of the following law enforcement
 1-50 duties:

1-51 (1) traffic enforcement or traffic control duties,
 1-52 including enforcement of traffic laws, investigation of vehicle
 1-53 accidents, or directing traffic;

1-54 (2) pursuit, arrest, or search of a person reasonably
 1-55 believed to have violated a law;

1-56 (3) investigation, including undercover
 1-57 investigation, of a criminal act;

1-58 (4) patrol duties, including automobile, bicycle,
 1-59 foot, air, or horse patrol;

1-60 (5) duties related to the transfer of prisoners; or

1-61 (6) training duties, including participation in any

2-1 training required by the officer's employer or supervisor or by the
2-2 Texas Commission on Law Enforcement.

2-3 (h) For the purpose of this section, a person [~~peace~~
2-4 ~~officer~~] is considered permanently disabled only if the chief
2-5 administrative officer of the law enforcement agency, fire
2-6 department, or other entity that employed the person [~~officer~~] at
2-7 the time of the injury, as applicable, determines the person
2-8 [~~officer~~] is permanently disabled and satisfies any requirement of
2-9 an institution under Subsection (e).

2-10 SECTION 3. The changes in law made by this Act apply to an
2-11 exemption from tuition and fees beginning with the 2019 fall
2-12 semester.

2-13 SECTION 4. This Act takes effect immediately if it receives
2-14 a vote of two-thirds of all the members elected to each house, as
2-15 provided by Section 39, Article III, Texas Constitution. If this
2-16 Act does not receive the vote necessary for immediate effect, this
2-17 Act takes effect September 1, 2019.

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